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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,497	12/29/2000	Waldemar Wojtkiewicz	42390P9012	3272

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EXAMINER	
SALAD, ABDULLAHI ELMI	
ART UNIT	PAPER NUMBER
2157	3

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/751,497	WOJTKIEWICZ, WALDEMAR	
	Examiner	Art Unit	
	Salad E Abdullahi	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 April 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 December 2000* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 2.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This application has been reviewed. Original claims 1-26 are pending. The rejection cited stated below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1-26 rejected under 35 U.S.C. 102(e) as being anticipated by Boden et al., U.S. Patent No. 6,167,444[hereinafter Boden].

As per claim 1, Boden discloses a method comprising:

- receiving a packet (data-gram packet 186) from a first network device (router 102) to a second network device (router 100), wherein the first and second network devices are connected to form a link (interface 133), the first network device and the second network device each having a version (RIP-1) of a dynamic, intra-domain, distributed, flat, single path, distance vector routing protocol (RIP)(see col. 4, lines 30-37) the packet identifying the first network device's routing protocol version (see the data-gram format shown on fig. 3, version identifier 162 which identifies the version of a network protocol) (see col. 4, lines 30-37 and col. 6, lines 20-23);

- determining whether the first network device's routing protocol version is the same as the second network device's routing protocol version (router 100 receiving the data-gram 186 and checks the version number identifier field 162 of the data-gram to determine the version of RIP that contain on the packet is the same as RIP-1 used by router 100) (see col. 4, lines 30-35 and col. 6, lines 20-29, where routers 102 and 100 use RIP-1 and router 100 determines the version of RIP that contain on the packet is same as used by router 100); and
- configuring the link (configuring interface 133 using routing table tables 138 and interface configuration table 140 for) such that the routing protocol versions of the first and second network devices are the same (that is once it is determined both the first device and the second device the same version of RIP e.g. RIP-1, then the link 135 is setup) (see figs. 2 and 5 and col. 8, lines 20-65, and col. 9, lines 45-67, where routing table 138 and interface configuration table 140 is used to configure link 133 which links routers 102 and 100).

As per claim 2, Boden discloses the method of claim 1, wherein the version of the routing protocol of each network device is one of a triggered type or a periodic type (RIP-1 is one of triggered type update or a periodic/regular type update) (see col. 4, lines 38-41 and col. 5, lines 5-13 and col. 6, lines 30-32) and the method further comprises detecting the first network device's (102) routing protocol type (i.e., routing information protocol or RIP) (since RIP is UDP-based protocol which is generally received on UDP port 520, RIP is detected as the first network's routing protocol) (see

col. 6, lines 20-21), and determining whether the first network device's routing protocol type (RIP) is the same as the second network device's routing protocol type (RIP) (see col. 4, lines 20-37, and col. 6, lines 20-29, where RIP is used as routing protocol of the first and second network devices).

As per claim 3, Boden discloses the method of claim 2 further comprising configuring the link such that the routing protocol types (RIP) of the first and second network devices are the same (the first and the second network device use the same type routing protocol e.g. RIP) (see col. 4, lines 30-35 and figs. 2 and 5 and col. 8, lines 20-65, where interface configuration table 140 and routing table 138 is used to configure links 133 or 135 etc).

As per claim 4, Boden discloses the method of claim 1 wherein the routing protocol is Routing Information Protocol (RIP) (see col. 4, lines 30-33).

As per claim 5, Boden discloses the method of claim 4 wherein the version of RIP is one of Version 1 or Version 2 (see col. 9, lines 32-44).

As per claim 6, Boden discloses the method of claim 5 wherein the version of the RIP of each network device is one of a triggered type or a periodic type (see col. 6, lines 4, lines 38-41 and col. 5, lines 5-13).

As per claim 7, Boden discloses the method of claim 5, further comprising configuring the link such that the RIP versions of the first and second network devices are both Version 2 (see col. 9, lines 32-44).

As per claim 8, Boden discloses the method of claim 7 further comprising configuring the link (configuring the interface) such that the RIP Version 2 on both of the first and second network devices is triggered (network device/router can be configured to use both version of RIP, that is RIP-1 or RIP-2, in which both versions can use the triggered update or periodic update) (see fig. 5, the interface configuration table and col. 9, lines 32-44).

As per claim 9, Boden discloses a method comprising:

configuring a link (configuring interface 133 as shown on tables 138 and 140) including a first network device (102) and a second network device (100), each network device including a dynamic, intra-domain, distributed, flat, single path, distance vector routing protocol (Routing Information Protocol or RIP) (see col. 4, lines 20-37) having a version (RIP version 1 or RIP-1) (see col. 4, lines 20-29) and a type (triggered routing update type or periodic/regular routing update type) (see col. 4, lines 38-41 and col. 5, lines 3-10) such that the routing protocol versions (RIP-1) of the first (router 102) and second (router 100) network devices are the same (see col. 6, line 20-29) and the types of the routing protocol versions (i.e., RIP-1 of triggered type or RIP-1 of periodic type) are the same (since RIP-1 is the routing

protocol used by the first and second device it can be of a triggered type or periodic type in which both network devices/routers support) (see col. 4, lines 38-41, col. 5, lines 5-13 and col. 6, lines 30-33).

As per claim 10, Boden discloses the method of claim 9 wherein the routing protocol is Routing Information Protocol (RIP) (see col. 4, lines 30-33).

As per claim 11, Boden discloses the method of claim 10 wherein the version of the RIP is one of Version 1 or Version 2 (see col. 9, lines 32-44).

As per claim 12, Boden discloses the method of claim 11 wherein the version of the RIP of each network device is one of a triggered type or a periodic type (see col. 6, lines 4, lines 38-41 and col. 5, lines 5-13).

As per claim 13, Boden discloses the method of claim 11 further comprising configuring the link such that the RIP on both of the first and second network devices is Version 2 (see col. 9, lines 32-44).

As per claim 14, Boden discloses the method of claim 13 further comprising configuring the link such that the RIP Version 2 on both of the first and second network devices is triggered (network device/router can be configured to use both version of RIP, that is

RIP-1 or RIP-2, in which both versions can use the triggered update or periodic update) (see fig. 5, the interface configuration table and col. 9, lines 32-44).

As per claim 15, Boden discloses an apparatus (router 100) comprising a machine accessible medium containing instructions which, when executed by a machine, cause the machine to perform operations comprising:

- receiving a packet(data-gram packet 186) from a first network device (router 102) to a second network device (100), wherein the first and second network devices are connected to form a link (133), the first network device and the second network device each having a version (RIP-1) of a dynamic, intra-domain, distributed, flat, single path, distance vector routing protocol (RIP)(see col. 4, lines 30-37) the packet identifying the first network device's routing protocol version (see the data-gram format shown on fig. 3, version identifier 162 which identifies the version of a network protocol) (see col. 4, lines 30-37 and col. 6, lines 20-23);
- determining whether the first network device's routing protocol version is the same as the second network device's routing protocol version (router 100 receiving the data-gram 186 and checks the version number identifier field 162 of the data-gram to determine the version of RIP that contain on the packet is the same as RIP-1 used by router 100) (see col. 4, lines 30-35 and col. 6, lines 20-29, where routers 102 and 100 use RIP-1 and router 100 determines the version of RIP that contain on the packet is same as used by router 100); and

- configuring the link (see tables 138 and 140 for configuring interface 133) such that the routing protocol versions of the first and second network devices are the same (that is once it is determined both the first device and the second device the same version of RIP e.g. RIP-1, then the link 135 is setup) (see figs. 2 and 5 and col. 8, lines 20-65, and col. 9, lines 45-67, where routing table 138 and interface configuration table 140 is used to configure links 133 which links routers 102 and 100).

As per claim 16, Boden discloses the apparatus of claim 15, wherein the version of the routing protocol of each network device is one of a triggered type or a periodic type (RIP-1 is one of triggered type update or a periodic/regular type update) (see col. 4, lines 38-41 and col. 5, lines 5-13 and col. 6, lines 30-32) and the method further comprises detecting the first network device's (102) routing protocol type (i.e., routing information protocol or RIP) (since RIP is UDP-based protocol which is generally received on UDP port 520, RIP is detected as the first network's routing protocol by the second router 100) (see col. 6, lines 20-21), and determining whether the first network device's routing protocol type (RIP)) is the same as the second network device's routing protocol type (RIP) (see col. 4, lines 20-37, and col. 6, lines 20-29, where RIP is used as routing protocol of the first and second network devices).

As per claim 17, Boden discloses the apparatus of claim 16 further comprising configuring the link such that the routing protocol types of the first and second network

devices are the same (the first and the second network device use the same type routing protocol e.g. RIP) (see col. 4, lines 30-35 and figs. 2 and 5 and col. 8, lines 20-65, where interface configuration table 140 and routing table 138 is used to configure links 133 or 135 etc).

As per claim 18, Boden discloses the apparatus of claim 15 wherein the routing protocol is Routing Information Protocol (RIP) (see col. 4, lines 30-33).

As per claim 19, Boden discloses the apparatus of claim 18 wherein the version of RIP is one of Version 1 or Version 2 (see col. 9, lines 32-44).

As per claim 20, Boden discloses the apparatus of claim 18 wherein the version of the RIP of each network device is one of a triggered type or a periodic type (see col. 6, lines 4, lines 38-41 and col. 5, lines 5-13).

As per claim 21, Boden discloses an apparatus (router 100) comprising a machine accessible medium containing instructions which, when executed by a machine, cause the machine to perform operations comprising:

configuring a link (configuring interface 133 as shown on tables 138 and 140) including a first network device (102) and a second network device (100), each network device including a dynamic, intra-domain, distributed, flat, single path, distance vector routing protocol (Routing Information Protocol or RIP) (see col. 4,

lines 20-37) having a version (RIP version 1 or RIP-1) (see col. 4, lines 20-29) and a type (triggered routing update type or periodic/regular routing update type) (see col. 4, lines 38-41 and col. 5, lines 3-10) such that the routing protocol versions of the first and second network devices are the same (see col. 6, line 20-29) and the types of the routing protocol versions (i.e., RIP-1 of triggered type or RIP-1 of periodic type) are the same (since RIP-1 is the routing protocol used by the first and second device it can be of a triggered type or periodic type in which both network devices/routers support) (see col. 4, lines 38-41, col. 5, lines 5-13 and col. 6, lines 30-33).

As per claim 22, Boden discloses the apparatus of claim 21 wherein the routing protocol is Routing Information Protocol (RIP) (see col. 4, lines 30-33).

As per claim 23, Boden discloses the apparatus of claim 22 wherein the version of the RIP is one of Version 1 or Version 2 (see col. 9, lines 32-44).

As per claim 24, Boden discloses the apparatus of claim 23 wherein the version of the RIP of each network device is one of a triggered type or a periodic type(see col. 6, lines 4, lines 38-41 and col. 5, lines 5-13).

As per claim 25, Boden discloses the apparatus of claim 23 further comprising configuring the link such that the RIP on both of the first and second network devices is

Version 2 (see col. 9, lines 32-44).

As per claim 26, Boden discloses t he apparatus of claim 23 further comprising configuring the link such that the RIP Version 2 on both of the first and second network devices is triggered (network device/router can be configured to use both version of RIP, that is RIP-1 or RIP-2, in which both versions can use the triggered update or periodic update) (see fig. 5, the interface configuration table and col. 9, lines 32-44).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Gai et al., U.S. Patent No. 6,697,360. Provides a method and apparatus for auto-configuring layer three intermediate device.

b) Ciotti, Jr. Et al., U.S. Patent No. 6,421,731. Provides dynamic routing update mechanism, which determines the routing protocol type and the version number.

c) Sandick et al., U.S. Patent No. 6,684,241. Provides an apparatus of configuring a network device which parsing a received packet to determine the routing protocol type (RIP) and version number of RIP.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 703-308-8441. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can

be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should mailed to:

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Washington, DC 20231

or faxed to: **(703) (872-9306)**.

Abdullahi Salad
Examiner AU 2157
4/2/2004